

## AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior versions and listings of claims in the application.

### **LISTING OF CLAIMS**

1-21. (Canceled)

22. (Currently Amended) A mulch shield for surrounding a trunk or stem of a plant, the mulch shield comprising:

a shield structure having a flexible self-closing wall member for coiling around the trunk or stem of the plant, the shield structure including a body, an upper flange and a lower flange, the upper flange being coupled to the body and extending therefrom in a radially outward and upward direction, and the lower flange being coupled to the body and extending therefrom in a radially outward direction;

wherein a slit is formed through the ~~wall member~~ body, the upper flange and the lower flange that permits the shield structure to be positioned in a first, generally C-shaped condition that is adapted to permit the mulch shield to be placed about the trunk or stem of the plant, and a second condition in which the shield structure self-closes around the trunk or stem of the plant; and

wherein a plurality of cleats are formed on a lower surface of the lower flange and.

23. (Previously Presented) The mulch shield of Claim 22, wherein at least one of the body and the lower flange has a resilient characteristic that biases the shield structure toward the second condition.

24. (Previously Presented) The mulch shield of Claim 22, wherein a first portion of the shield structure overlaps a second portion of the shield structure when the shield structure is in the second condition and wherein at least one fastener that secures first and second overlapping portions to one another.

25. (Previously Presented) The mulch shield of Claim 24, wherein the fastener is selected from a group consisting of rivets, screws, spikes, adhesive tapes, clips, Christmas-tree retainers, push-type retainers, hook-and-loop fasteners and combinations thereof.

26. (Previously Presented) The mulch shield of Claim 24, wherein a first hole is formed through the first portion of the shield structure and a second hole is formed through the second portion of the shield structure, and wherein the fastener is disposed through the first and second holes.

27. (Previously Presented) The mulch shield of Claim 24, wherein the fastener includes an aperture and a tab, wherein the aperture is formed into one of the first and second overlapping portions and the tab is coupled to the other one of the first and second overlapping portions, the tab being configured to extend through the aperture to secure the first and second overlapping portions to one another.

28. (Previously Presented) The mulch shield of Claim 22, wherein the upper flange is spaced apart from the lower flange by a predetermined distance that is associated with a desired mulch thickness.

29. (Previously Presented) The mulch shield of Claim 28, wherein the desired mulch thickness is about 3 inches to about 5 inches.

30. (Previously Presented) The mulch shield of Claim 22, further comprising a second body that is configured to be received into the body of the shield structure and telescopically moved with respect to the shield structure between an extended position and a retracted position.

31. (Previously Presented) The mulch shield of Claim 30, further comprising retaining means for retaining the second body in the extended position.

32. (Currently Amended) The mulch shield of Claim 22, wherein the ~~wall-member~~ body is formed from a non-porous material.

33. (Previously Presented) The mulch shield of Claim 22, wherein at least a portion of the slit is generally parallel to a longitudinal axis of the body.

34. (Withdrawn) The mulch shield of Claim 22, wherein at least a portion of the slit is spirally shaped.

35. (Previously Presented) A method for protecting a tree trunk comprising:  
providing a mulch shield having a shield structure with a self-closing wall member, the shield structure including a body and a lower flange, the lower flange being coupled to the body and extending therefrom in a radially outward direction, a plurality of cleats being formed on the lower flange;  
opening the mulch shield such that the body is generally C-shaped;  
fitting the body about the tree trunk; and  
releasing the body to permit the shield structure to coil about the tree trunk and close so as to form a circumferentially extending collar about the tree trunk.

36. (Previously Presented) A mulch shield for surrounding a trunk or stem of a plant, the mulch shield comprising:

a shield structure having a flexible self-closing wall member for coiling around the trunk or stem of the plant, the shield structure including a body, an upper flange and a lower flange, the upper flange being coupled to the body and extending therefrom in a radially outward and upward direction, and the lower flange being coupled to the body and extending therefrom in a radially outward direction;

wherein a slit is formed through the wall member, the upper flange and the lower flange that permits the shield structure to be positioned in a first, generally C-shaped condition that is adapted to permit the shield structure to be placed about the trunk or stem of the plant, and a second condition in which the shield structure self-closes around the trunk or stem of the plant; and

wherein at least one of the upper flange and the lower flange extends substantially continuously about the body when the shield structure is in the second position.